REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	04 June 1999
Name of applicant/court:	The District Court at New Plymouth
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Untitled aka Scouts 2 Signes De Piste/ Das Fickende Klassenzimmer
Other Known Titles:	Scouts 2 - Jeu De Pistes/Das Fickende Klassen Zimmer
Director:	Not Stated in English
Producer:	Not Stated in English
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Video Recording VHS/PAL
Country of Origin:	Not Stated
Language:	French, German

Components of film originally examined:

Feature:	Scouts 2 Signes De Piste Das Fickende Klassenzimmer	Running time:	93.57 90.35
Trailers:	Nil	Running time:	
		Total Running time:	184.32

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has not been given.

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SUMMARY OF THE REASONS FOR DECISION:

The untitled video recording, also known as *Scouts 2 Signes De Piste/Das Fickende Klassenzimmer*, is classified as:
Objectionable.

The video recording is classified as objectionable because it promotes and supports the exploitation of young persons for sexual purposes and it promotes and supports the use of violence and coercion to compel people to participate and submit to, sexual conduct.

The video recording contains a French feature and a German feature that respectively present explicit depictions of sexual activity involving male teenagers dressed as scouts and schoolboys. These males are presented as being young persons. Some of them have very youthful physical appearances and underdeveloped bodies. That the males are supposed to be young persons is reinforced by the focus in the features on their youthful appearances, their apparent sexual naivete, the use of scout and school uniforms, and the adolescent manner in which the males are generally shown behaving.

The video recording presents depictions of sexual activity involving young persons as appropriate source material for adult sexual arousal and implicitly indicates that sexual activity involving young persons is legitimate and acceptable. There are also some depictions of sexual activity between adults and young persons. This also gives the implicit message that it is acceptable and legitimate for adults to engage in sexual activity with young persons. The video recording therefore promotes and supports the exploitation of young persons for sexual purposes, as outlined under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act).

The video recording also contains two scenes showing adult men forcing teenage male scouts against their will to engage in sexual activity. The lack of consent, fear and struggling is focussed upon and sexualised. The scenes are clearly presented for the purposes of adult sexual arousal and have the effect of presenting young persons being forced into sex with adults as a sexually arousing scenario. The video recording therefore promotes and supports the use of violence and coercion to compel people to participate in, and submit to, sexual conduct as outlined under s3(2)(b) of the FVPC Act.

An objectionable classification places a limit on s14 of the New Zealand Bill of Rights Act 1990 (NZBR Act). The publication falls under s3(2) of the FVPC Act which overrides the NZBR Act because it is a deeming provision which cannot be given a meaning that is consistent with the rights and freedoms contained in s14 of the NZBR Act. As such if the Classification Office considers that the publication promotes or supports criteria listed in s3(2), the publication shall be deemed "objectionable" without any further consideration of the NZBR Act. This limit on the freedom of expression is prescribed by law.

OFLC Ref: 9900658